

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 2:06-cr-12-MEF
)	
DEMETRIUS J. HAWKINS)	
TERRENCE CORNELIUS)	

NOTICE OF CONFLICT WITH TRIAL SCHEDULE

Comes now the United States of America, by and through Leura Garrett Canary, United States Attorney for the Middle District of Alabama to inform the Court of a scheduling conflict with the trial date of November 28, 2006, in the case of United States v. Cornelius and Hawkins, Case Number 2:06-cr-12-MEF, said conflict as follows:

1) At the pretrial conference held on November 9, 2006, Paul Cooper appearing for Terrence Cornelius, informed the Magistrate Judge that he and his wife are scheduled to be on vacation the week of December 4, 2006, which is the second week of the trial term. He also expressed some concern that lead counsel Howard Greenberg would appear at the trial.

2) Prior to the pretrial hearing, case agent and witness, Joe Herman, informed the undersigned that on the evening of November 28, he is scheduled to take a final exam in a course he is taking at Troy University in Troy. He then requested that I ask that this case be set for the second week.

3) This case has been tried once before with a resulting hung jury, and the trial will likely last three days.

4) Certainly the undersigned recognizes the importance of Mr. Cooper's scheduled vacation, and the possibility that Mr. Greenberg will not be here makes the week of December 4, ever more problematic.

5) There does appear to be several cases scheduled for the November 27, trial term. The undersigned requests that United States v. Cornelius and Hawkins be set to begin on November 29 or in the alternative, that the case be continued until the next trial term.

Respectfully submitted this 13th day of November 2006.

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

/s/ Kent B. Brunson
KENT B. BRUNSON
Assistant United States Attorney
Post Office Box 197
Montgomery, Alabama 36101-0197
334.223.7280
334.223.7135 fax
kent.brunson@usdoj.gov

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CERTIFICATE OF SERVICE

I hereby certify that on November 13, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Malcolm R. Newman and Paul Cooper.

Respectfully submitted,
LEURA GARRETT CANARY
UNITED STATES ATTORNEY

/s/ Kent B. Brunson
KENT B. BRUNSON
Assistant United States Attorney
Bar Number: ASB-3094-U62K
One Court Square, Suite 201
Montgomery, Alabama 36104
Telephone: (334) 223-7280
Fax: (334) 223-7135
E-mail: kent.brunson@usdoj.gov